

JOURNAL OF THE HOUSE

EIGHTY-NINTH SESSION

TWENTY-EIGHTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, February 27, 2014

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor John Fette, followed by the Pledge of Allegiance led by House page Catherine Chaney.

Roll Call: All members present except Reps. Feickert, Killer, Lust, Romkema, Schrempp, Westra, and Wismer who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the twenty-seventh day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

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1 Also MR. SPEAKER:

2 The Committee on Health and Human Services respectfully reports that it has had under
3 consideration SB 183 and returns the same with the recommendation that said bill be amended
4 as follows:

5 183ja

6 On page 3, line 4, of the Senate Commerce and Energy Committee engrossed bill, delete
7 "four" and insert "three".

8 183jc

9 On page 3, line 1, of the Senate Commerce and Energy Committee engrossed bill, delete
10 "two" and insert "one".

11 And that as so amended said bill do pass and be placed on the consent calendar.

12 Respectfully submitted,
13 Scott Munsterman, Chair

14 Also MR. SPEAKER:

15 The Committee on Appropriations respectfully reports that it has had under consideration
16 SB 37, 38, 87, and 152 and returns the same with the recommendation that said bills do pass.

17 Respectfully submitted,
18 Fred W. Romkema, Chair

19 Also MR. SPEAKER:

20 The Committee on Local Government respectfully reports that it has had under
21 consideration SB 75 and returns the same with the recommendation that said bill do pass.

22 Also MR. SPEAKER:

23 The Committee on Local Government respectfully reports that it has had under
24 consideration SB 171 and returns the same with the recommendation that said bill do pass and
25 be placed on the consent calendar.

26 Respectfully submitted,
27 Tim Rounds, Chair

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to return herewith HB 1012, 1014, 1015, 1028, 1029, 1061, 1073, 1079, 1108, 1125, 1152, 1156, 1178, 1181, and 1198 which have passed the Senate without change.

Also MR. SPEAKER:

I have the honor to transmit herewith SCR 5 and 7 which have been adopted by the Senate and your concurrence is respectfully requested.

Respectfully,
Jeannette Schipper, Secretary

MOTIONS AND RESOLUTIONS

SCR 5: A CONCURRENT RESOLUTION, Expressing support for civic education in the public schools in South Dakota, and recognizing February 26, 2014, as Civic Education Day at the State Capitol.

Was read the first time and the Speaker waived the committee referral.

SCR 7: A CONCURRENT RESOLUTION, Expressing support for all South Dakota high school students learning and practicing the basic skills of hands-only Cardio Pulmonary Resuscitation (CPR) prior to graduation.

Was read the first time and the Speaker waived the committee referral.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Wink moved that the report of the Standing Committee on

State Affairs on SB 154 as found on page 566 of the House Journal be adopted.

Which motion prevailed.

1 **SECOND READING OF CONSENT CALENDAR ITEMS**

2 Rep. Feinstein requested that SB 49 be removed from the Consent Calendar.

3 Which request was granted.

4 SB 151: FOR AN ACT ENTITLED, An Act to revise the appointment process for the State
5 Veterans Home superintendent.

6 Was read the second time.

7 The question being "Shall SB 151 pass?"

8 And the roll being called:

9 Yeas 63, Nays 0, Excused 7, Absent 0

10 Yeas:

11 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
12 Duvall; Ecklund; Erickson; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
13 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
14 Johns; Kaiser; Kirschman; Kopp; Langer; Latterell; Magstadt; May; Mickelson; Munsterman;
15 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
16 Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer;
17 Steele; Stevens; Tulson; Tyler; Verchio; Werner; Wick; Wink; Speaker Gosch

18 Excused:

19 Feickert; Killer; Lust; Romkema; Schrempp; Westra; Wismer

20 So the bill having received an affirmative vote of a majority of the members-elect, the
21 Speaker declared the bill passed and the title was agreed to.

22 SB 115: FOR AN ACT ENTITLED, An Act to provide for travel insurance and regulate
23 travel insurance retailers.

24 Was read the second time.

25 The question being "Shall SB 115 pass as amended?"

26 And the roll being called:

27 Yeas 63, Nays 0, Excused 7, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
3 Duvall; Ecklund; Erickson; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
4 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
5 Johns; Kaiser; Kirschman; Kopp; Langer; Latterell; Magstadt; May; Mickelson; Munsterman;
6 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
7 Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer;
8 Steele; Stevens; Tulson; Tyler; Verchio; Werner; Wick; Wink; Speaker Gosch

9 Excused:

10 Feickert; Killer; Lust; Romkema; Schrempp; Westra; Wismer

11 So the bill having received an affirmative vote of a majority of the members-elect, the
12 Speaker declared the bill passed and the title was agreed to.

13 SB 5: FOR AN ACT ENTITLED, An Act to permit the court reciprocal discretion to hear
14 certain petitions for protection orders due to domestic abuse and for protection orders due to
15 stalking or physical injury.

16 Was read the second time.

17 The question being "Shall SB 5 pass?"

18 And the roll being called:

19 Yeas 63, Nays 0, Excused 7, Absent 0

20 Yeas:

21 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
22 Duvall; Ecklund; Erickson; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
23 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
24 Johns; Kaiser; Kirschman; Kopp; Langer; Latterell; Magstadt; May; Mickelson; Munsterman;
25 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
26 Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer;
27 Steele; Stevens; Tulson; Tyler; Verchio; Werner; Wick; Wink; Speaker Gosch

28 Excused:

29 Feickert; Killer; Lust; Romkema; Schrempp; Westra; Wismer

30 So the bill having received an affirmative vote of a majority of the members-elect, the
31 Speaker declared the bill passed and the title was agreed to.

32 SB 70: FOR AN ACT ENTITLED, An Act to codify legislation enacted in 2013.

33 Was read the second time.

1 The question being "Shall SB 70 pass?"

2 And the roll being called:

3 Yeas 63, Nays 0, Excused 7, Absent 0

4 Yeas:

5 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
6 Duvall; Ecklund; Erickson; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
7 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
8 Johns; Kaiser; Kirschman; Kopp; Langer; Latterell; Magstadt; May; Mickelson; Munsterman;
9 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
10 Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer;
11 Steele; Stevens; Tulson; Tyler; Verchio; Werner; Wick; Wink; Speaker Gosch

12 Excused:

13 Feickert; Killer; Lust; Romkema; Schrempp; Westra; Wismer

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill passed and the title was agreed to.

16 SB 71: FOR AN ACT ENTITLED, An Act to allow the contract for the publication of the
17 codified laws to be extended for more than one year.

18 Was read the second time.

19 The question being "Shall SB 71 pass?"

20 And the roll being called:

21 Yeas 63, Nays 0, Excused 7, Absent 0

22 Yeas:

23 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
24 Duvall; Ecklund; Erickson; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
25 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
26 Johns; Kaiser; Kirschman; Kopp; Langer; Latterell; Magstadt; May; Mickelson; Munsterman;
27 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
28 Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer;
29 Steele; Stevens; Tulson; Tyler; Verchio; Werner; Wick; Wink; Speaker Gosch

30 Excused:

31 Feickert; Killer; Lust; Romkema; Schrempp; Westra; Wismer

32 So the bill having received an affirmative vote of a majority of the members-elect, the
33 Speaker declared the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

Rep. Cronin moved that SB 63, 182, 98, 51, 45, 47, 48, 4, 74, 76, 27, 31, 32, 19, 17, 16, 20, 18, and 15 be deferred to Monday, March 3, the 29th legislative day.

Which motion prevailed.

There being no objection, the House reverted to Order of Business No. 5.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that HB 1095, 1105, and 1135 were delivered to his Excellency, the Governor, for his approval at 10:05 a.m., February 27, 2014.

Also MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared HB 1012, 1014, 1015, 1028, 1029, 1061, 1073, 1079, 1108, 1125, 1152, 1156, 1178, 1181, and 1198 and finds the same correctly enrolled.

Respectfully submitted,
Brian G. Gosch, Chair

SIGNING OF BILLS

The Speaker publicly read the title to

HB 1012: FOR AN ACT ENTITLED, An Act to provide for free resident fishing licenses for certain entities teaching basic fishing skills.

HB 1014: FOR AN ACT ENTITLED, An Act to increase the nonrefundable application fee for resident bighorn sheep, mountain goat, and elk licenses.

HB 1015: FOR AN ACT ENTITLED, An Act to create an equitable process to handle water right applications submitted for aquifers determined to be fully appropriated by the Water Management Board.

1 HB 1028: FOR AN ACT ENTITLED, An Act to revise the amount counties may be
2 reimbursed for the detainment of parole violators.

3 HB 1029: FOR AN ACT ENTITLED, An Act to revise certain requirements regarding the
4 Richard Hagen-Minerva Harvey memorial scholarship program.

5 HB 1061: FOR AN ACT ENTITLED, An Act to include limited liability companies in
6 certain provisions regarding the licensing of boats and motor vehicles and certain provisions
7 regarding the dealers and manufacturers of certain vehicles, manufactured homes, and mobile
8 homes.

9 HB 1073: FOR AN ACT ENTITLED, An Act to provide for the cancellation of expired
10 mechanic's and materialman's liens.

11 HB 1079: FOR AN ACT ENTITLED, An Act to authorize certain lighting on vehicles
12 operated by ambulance service personnel.

13 HB 1108: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
14 provisions regarding employment strikes and lockouts.

15 HB 1125: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
16 provisions regarding judicial remedies.

17 HB 1152: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
18 registration of limited partnerships.

19 HB 1156: FOR AN ACT ENTITLED, An Act to allow the transmission of electronic
20 documents related to insurance policies.

21 HB 1178: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to false
22 statements pertaining to aircraft registration and associated penalties.

23 HB 1181: FOR AN ACT ENTITLED, An Act to allow for the requirement of a
24 certification of health from an employee of a school.

25 HB 1198: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
26 administration of medical treatment for individuals with mental illness.

27 And signed the same in the presence of the House.

28 Rep. Steele moved that the House do now adjourn, which motion prevailed and at
29 1:30 p.m. the House adjourned.

30 Arlene Kvislen, Chief Clerk
31 By Jackie Driscoll

